

AMENDMENT FORM

Suggestion for amendment of Article : 36a

Suggestion for Part III

By Ms / Mr : **G.M. de Vries**
 T.J.A.M. de Bruijn

Status : **Members** **Alternate**

1. Everyone has the right to the protection of personal data concerning him or her.
2. ~~The Parliament and the Council, it~~ In accordance with the legislative procedure, rules shall be adopted ed ~~the~~ relating to the protection of individuals with regard to the processing of personal data by the Union's institutions and bodies, and by the Member States when carrying out activities which come under the scope of Union law, and the rules relating to the free movement of such data.

Explanation (if any) : The Dutch Government would like to point out that paragraph 1 of this article and others (see below) are a repetition of what is already laid down in the Charter on Fundamental Rights. If the Charter would become an integral part of the Constitution, such a repetition is obviously undesirable. Therefore, if the Charter would become an integral part of the Constitution this article and the articles 33, 35a, 36(3), 36a(1), 37 will have to be deleted and/or adjusted. See for further background information the relevant declaration of the Dutch Permanent Representative (CONV 659/03).

